

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7485

Respondents: Steve Chabot for Congress and
James Schwartz, as Treasurer,
Steve Chabot¹

Complaint Receipt Date: August 21, 2018

Response Date: No Response Received

EPS Rating:

Alleged Statutory

52 U.S.C. § 30120(d)(1)(B)(ii)

Regulatory Violations:

11 C.F.R. § 110.11(c)(3)(iii)

Complainant alleges that one of Respondents' television ads failed to include a written disclaimer stating that Chabot had approved the ad.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the unlikelihood the general public would have been confused as to whether the television ad was authorized by Chabot,² we recommend that the Commission dismiss the Complaint consistent with

¹ Chabot was a 2018 candidate for the U.S. House of Representatives in Ohio's First District. Steve Chabot for Congress is his principal campaign committee.

² Although the television ad omitted the required written authorization statement, the ad included video of Chabot orally stating that he approved it and a written disclaimer stating that the Committee paid for the ad. See "Day One," available at <https://www.youtube.com/watch?v=7UP-N4MnvNk> (last visited November 30, 2018).

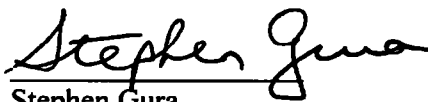
the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.


Lisa J. Stevenson
Acting General Counsel


Kathleen M. Guith
Associate General Counsel

12.20.18
Date

BY:


Stephen Gura
Deputy Associate General Counsel


Jeff S. Jordan
Assistant General Counsel


Kristina M. Portner
Attorney

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